



## IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

Barb Kniff McCulla  
CHAIR

Timothy L. Lapointe  
Krista Wenzel

Robert F. Holz  
Annette Dunn

Steven Olson  
Rob Sand

Randy Goddard, Executive Director

Governor Kim Reynolds

Lt. Governor Adam Gregg

# **Iowa Telecommunications & Technology Commission Grimes State Office Building, 1<sup>st</sup> Floor 400 East 14<sup>th</sup> Street, Des Moines, IA 50319 Meeting Minutes August 19, 2021**

## **FINAL**

To ensure the most efficient use of State resources, the August 19, 2021, ITTC meeting was held via video conference pursuant to Iowa Code section 21.8. A video conference ensured that more Commissioners, staff, and the public were able to participate in the meeting and reduced the risk of delays caused by the public health recommendation. The meeting was accessible to members of the public.

## **Roll Call:**

### **Commissioners Present**

Barb Kniff McCulla, Chair  
Bob Holz, Member  
Steve Olson, Member  
Krista Wenzel, Member  
Timothy Lapointe, Member  
Drew Stensland, Representing Rob Sand, Ex-Officio Member

### **Commissioners Absent**

Matt Behrens, Representing Annette Dunn, Ex-Officio Member

### **Iowa Communications Network Staff**

Randy Goddard, Executive Director  
Mark Johnson, Chief Administrative Officer  
Scott Pappan, Chief Technology Officer  
Mike Cruise, Finance Bureau Manager  
Ryan Mulhall, Network Services Bureau Manager  
Stephanie DeVault, Business Services Bureau Manager  
Patrick Kazeze, Facilities / TAC Bureau Manager  
Mark Dayton, ICN Sales Engineer  
Andy Ryan, ICN Sr. Telecommunications Engineer  
Dave Augspurger, ICN Sr. Telecommunications Engineer  
Brian Clayton, Purchasing Agent III  
Lori Larsen, Executive Officer 2 (Recorder)

### **Guest Attendees**

Alan Nagel, Office of the Attorney General, Counsel for ICN  
Michelle Rabe, Office of the Attorney General of Iowa, Conflict Counsel for ITTC  
Patrick White, on behalf of ICSolutions  
Maria Wagenhofer, Legislative Services Agency  
Charlena Aumiller, on behalf of ICSolutions  
Bill Wickard, Counsel for Securus  
Ryan Koopmans, Counsel for Securus  
Scott Golberg, Fiber Network Services (FNS)  
Rob Smith, Fiber Network Services (FNS)

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### Call to Order:

Chair Kniff McCulla called the meeting to order at 10:32 AM. It was noted that a quorum of members was present for the meeting.

### Approval of the July 15, 2021 Meeting Minutes:

Chair Kniff McCulla requested a motion to approve the July 15, 2021 meeting minutes. Commissioner Holz moved to approve the minutes. Commissioner Olson seconded the motion.

The motion passed unanimously.

### Old Business:

None

### New Business:

#### Agency Updates

#### Finance Update – Mike Cruise

##### July FY 2021 Budget-to-Actual Report

###### Monthly Revenues and Expenses:

The month of July resulted in an operating margin of -\$348,163 or -14.1%. This is \$27,553 favorable to the budget which is -\$375,716. The large negative amount for the month was expected. We have a lot of annual expenses that terminate with our fiscal year end, so the renewals come due in July, or in some cases the 1Q of the new fiscal year. We had many of those get booked in July as budgeted, so there are higher expenses in direct and allocated operating expenses for the month.

Revenue is slightly down by \$58,704 compared to budget and that was primarily due to unfavorability in legacy transport. Internet is also slightly down as projected, but has not been realized in July of this year.

Direct expenses are unfavorable to budget by \$39,976.

Total allocated expenses are \$126,232 favorable to budget including positive favorability in operating, general and administrative expenses, payroll and travel expenditures.

###### Year-to-Date Comparison to FY 2020:

The operating margin is \$345,375 unfavorable to July FY 2021. Revenue is down \$132,488 from last year, and most of that is attributed to traditional voice being down with significant 8XX traffic from IWD still with us through October last year. Direct expenses are \$281,564

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unfavorable last year. A large dollar amount occurred after July when some of the larger maintenance contracts were finalized and amounts were known.

### Year-End:

1. Billing is complete for FY 2021 and that was very successful in terms of not having any issues or delays and there were only six corrections.
2. Payables side has until August 31 to pay bills and another two weeks after that for internal corrections.
3. Final budget-to-actual probably will not be available until the October meeting if we maintain the policy of getting it out one week prior to the meeting.
4. For general financial statements, we are still making the year-end entries for things like pension, other post-employment benefits and other year-end accruals. Without final year end totals, we do not have the beginning figures for the FY 2022 financials.

### WorkSmart/Workday

HCM (Payroll): Go-Live for the HCM or the personnel piece of Workday is September 17. Training is underway for all staff so we are fast approaching being able to use that system. It will be a great improvement over what we have now.

FIN (Financial): Planning and agency engagement has begun. Deployment is scheduled for late summer or Q3-CY2022.

### **COMMENTS**

None

## **Contracting Update – Mike Cruise**

- No sole sources or other contracts that rise to the level of this meeting.

### **COMMENTS**

None

## **Business Services Update – Stephanie DeVault**

ICN had no new customers for the month.

No new waivers.

There are no updates regarding the University of Iowa's RFP for the cloud-based phone system to report.

### **Healthcare**

- New Internet circuits: Jefferson County Health Center, Gundersen Palmer Lutheran Hospital, and RCI-Radiology Consultants of Iowa.
- New Internet orders with DDoS Mitigation: Madison County and Regional Medical Center/Manchester.

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- ICN Internet circuit: Unity Point Marshalltown (Medical & Surgical Center (MMSC) South Campus).
- For IRHTP, ICN is almost completed with the equipment upgrade. This project has been a year long, and we want to congratulate the team on moving forward.

### Government

- MVS: Department of Human Services (DHS), Child Support Recovery Unit, cabling and phone purchases for nine locations.
- Cloud Connect: Direct connection for Iowa Workforce Development (IWD).
  - Working on Cloud Connect/direct connections to: Department of Public Health (IDPH) and Iowa Public Employees' Retirement System (IPERS).
- Iowa Public Broadband System (PBS): Upgrade eight towers - ethernet increase.
- DDoS Mitigation and IVR Change Order: IPERS

### Public Safety

- 911 Landline Migration Project: local carrier connection and interstate connection work.
- Judicial Data Center Project: Contract should be signed next week.
- New Internet circuit: Iowa National Guard.
- New Ethernet circuit with new fiber build: ING-New Des Moines Armory.
- MVS and cabling: Department of Public Safety (DPS) submitted service orders for 10 locations.

### Education

- A phone call is scheduled regarding fiber routes for ISU's ARA: Wireless Living Lab for Smart and Connected Rural Communities.
- Internet increase: Western Iowa Tech Community College in Sioux City.
- Internet increase: Graceland University in Lamoni.
- Hotspots: Four customers interested.

### Marketing and Communications

- Released Hotspot marketing materials.
- Released handout: *What Sets ICN Apart from Other Broadband Providers*.
- Cloud connect product forthcoming.
- More active with ICN information on social media. Beginning two social media campaigns: Service of the Month and Industry of the Month.

### COMMENTS

None

### Network Services Updates

#### Network Operations & Security Update – Ryan Mulhall

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### Network Updates

- Network Core: We have three maintenance windows remaining to implement all of the recommended changes from Juniper, regarding the Network issues from a few months ago. One setback occurred when a contractor cut us prepping for a maintenance window, but the network preformed like it should.
- Core Upgrade: Approximately 85% of the equipment installs are completed. The equipment in Waterloo has been installed, and the equipment has been configured in Independence and Oelwein.
- We have a potential replacement for our aggregation. We will be testing next week.
- Passing traffic through the Chicago Internet connection. There is still a little work on the providers side. They need to make one more change before the traffic is fully operational. We will be increasing our Internet bandwidth from 20Gb to 40Gb. Capacity will not be an issue.
- Disaster Recovery project: Moving forward again, and we are waiting on the power vendor for parts. We should be able to complete the project soon.
- Future projects: Planning meeting with Palo Alto for internal preparations for new firewalls. ICN firewalls will be replaced by the end of September and three customer firewalls by mid-October through December.
- Grant project updates from Iowa Department of Homeland Security and Emergency Management (HSEMD): We have completed three of the five projects associated with critical infrastructure and cybersecurity.
  - Completed: Installation of a patch management software for internal systems.
  - Completed: A power upgrade at the Lucas State Office Building, which enhanced ICN's lab environment and facilitates the state firewall service.
  - Completed: Added a disaster recovery site at a private data center, which includes a fiber build and equipment purchase.
  - In-progress: Installation of security cameras and access controls at the three main core network sites.
  - In-progress: Performing an external vulnerability scan on the Network.

### COMMENTS

None

### Network Engineering Update – Andy Ryan

We converted the remaining four T1s on July 22 and we are happy to report the last CBX was powered off on July 30. With the equipment powered down, the site's power consumption dropped between 19% and 30%. This milestone signifies the ATM platform is no longer available.

### COMMENTS

Chair Kniff McCulla – This has to feel good. Great job!

### Network Outside Plant Update – Dave Augspurger

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### Outside Plant (OSP)

In July we had 22 new outside plant projects, which is slightly above the average of 21. Of those projects, there were 5 cable cuts, 4 maintenance related projects, 5 cable relocations, and 2 new constructions. The rest of them were standby/protect or yet to be determined. The 5 cable cuts consisted of: 3 contractor at fault (1 was self-inflicted, 1 locate related, and 1 yet-to-be-determined). Most costs should be recoverable. There were two new construction projects. There were no washouts reported or any exposed cables turned in.

### COMMENTS

None

## Administration & Facilities Updates

### Facilities and TAC Update – Patrick Kazeze

#### TAC (Technical Assistance Center) Update

Cabling and wiring projects completed in the last month include:

- Iowa Department of Public Health (IDPH) / 4th, 5th & 6th floors: The team completed a multi cube office area reconfiguration/remodel that included new locations for field staff with multiple requests for new service. Project was completed on July 22.
- Iowa Department of Agriculture and Land Stewardship / 2nd floor Wallace Building: The remodel and reconfiguration project was completed on July 16.
- State Treasurer of Iowa's office / 1st floor of the Lucas Building: Cabling and Wireless Access Point (WAP) installation project was completed on July 28.
- FirstNet locations with the Oelwein and Dubuque police departments: Disconnect and remove equipment were completed on July 20 for Oelwein and August 6 for Dubuque.

Ongoing cabling and wiring projects:

- IDPH / 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> floors of the Lucas Building: Conference Room Cabling to support IDPH audio/video for a total of 7 conference rooms with multiple cable installations in each room.
- Legislative Services Agency (LSA) / Ola Babcock Miller Building: Install cable and camera installation, both interior and exterior.
- The Iowa Department of Revenue: We have two projects, one for cabling and camera installs on the third floor of the Hoover Building and one for WAPS and associated cabling, on the first floor.
- LSA, Ola Babcock Miller Building: Cabling and camera work are in progress.
- Department of Cultural Affairs in the Historical building: Cubicle reconfiguration and remodel.

ICN provided cost estimates:

- Instate the LSA/Ola Babcock Miller Bldg: for a cable install project that will include both single and multimode fiber as well as CAT 6E. Cost estimate was completed on July 27.

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- The Department of Administration Services (DAS) has a reconfiguration and remodeling project to create Admin space for the Department of Appeals. Cabling work was completed on July 27.
- Out State site surveys and cost estimates were completed the first week in August for MVS for the following locations: Sioux City, Marshalltown, Dubuque, Decorah, Waterloo.

### Facilities Update:

- The Marshalltown site move is still in progress.
- Peosta site is moving along though things have slowed down a little.
- Indianola site is back on track. Pending a signed agreement, we are standing by to begin moving equipment over.
- FirstNet projects have slowed down largely due to delays attributed to chipset manufacturing which is affecting the automotive industry significantly.
- Site 1103 (Altoona) is decommissioned and we have removed all of our infrastructure. The City of Altoona has generously assumed ownership of the site and will take care of demolition of the Comm Hut and restoration of the land.
- The site move in Muscatine from the Comm Hut to the school is almost complete. The team is focused on moving the final circuits over.
- SP43 in Tiffin received racks to mount equipment. We are waiting for more materials, so the electricians can pick back up to complete the project.
- On the maintenance side, HVAC issues have been our main concern with regular high temps we have had some units fail. All have been brought back in service or replaced with no significant degradation in temps to the impacted facilities.

### COMMENTS

Scott Pappan added that in Tiffin for the disaster recovery (DR) project, all equipment has been programmed, racked, and storage has been added. All we need is power to be completed.

Chair Kniff McCulla – Great. Also, welcome to the ICN Patrick.

### Contract Limitation Amount Adjustment Notice – Brian Clayton

Per Iowa Code section 8D.11, subsection 1c, each year the ICN is required to update our contract cap limitation amount, which is based upon the prior fiscal year's CPIU. ICN cannot exceed the contract limitation cap, unless we have prior approval from the General Assembly or the Legislative Council, if the legislature is not in session, or if the Executive Council in the event of a natural disaster, or the funding is appropriated money.

Annually we update the amount published prior to September 1, and that amount is applicable from September 1, 2021, through August 30, 2022, of the following year. ICN's contract limitation adjustment notice will be published August 2021 in the Administrative Bulletin. This year the contract cap increased by 5.4% or \$133,736.90, and our contract cap moving forward now is \$2,610,347.50.

Last year a question was asked regarding the previous increase, and it was sixth-tenth of a percent.

### COMMENTS

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None

## Other Business:

### ITTC Committee Updates – Staff/Commission

#### Personnel Committee – Mark Johnson

The Personnel Committee did not meet in August.

#### Finance Committee – Mike Cruise

Meeting Date: August 16, 2021.

Attendance: Commissioner Wenzel, Commissioner Holz, Brian Clayton, and Mike Cruise.

Topics Covered:

- Brian Clayton gave updates on several contracting issues.
- Review of July FY 2022 financials as presented today.
- Workday update.
- Other updates from Finance.

#### Customer and Services Committee – Stephanie DeVault

Meeting Date: August 11, 2021.

Attendance: Commissioner Olson, Commissioner Lapointe, Stephanie DeVault, Mark Dayton, Patrick Kazeze, and Ryan Mulhall.

Topics Covered:

- Services: No new services.
- New Waiver requests: No new requests.
- New traffic and customers that we are targeting.

#### Operations Committee – Scott Pappan

Meeting Date: August 12, 2021.

Attendance: Commissioner Lapointe, Commissioner Wenzel, Scott Pappan, and Ryan Mulhall.

Topics Covered:

- Updates: Core, IRHTP, and Firewall

### Employee Recognition Committee (ERC) Event Invitation – Karen Alessio

The annual ERC Fall event will be held after the ITTC meeting on September 16 from 11:30 am – 3:00 pm. The event will be held at Birdland Park - Ding Darling. Lunch will begin at 12:30 pm with barbeque and side dishes, salads, and desserts. The afternoon will include years of service awards, co-worker shout outs and team building activities. The Commissioners will be provided with time to speak.

#### COMMENTS

None

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### **Action - Inmate Calling Solutions' (ICS) Protest and Notice of Appeal of Intent to Award RFP 2019-000 for ICS to Securus, dated July 22, 2021, and subsequent filings by all parties.**

*Discussion of documents and filings received within the last thirty (30) days, beginning with ICS' Protest and Notice of Appeal, and formulate timeline for response* **Closed Session:** *Commission may go into closed session to discuss Inmate Calling Solutions' Petition for Stay filed contemporaneously with its Protest and Notice of Appeal.*

Michelle Rabe – We wanted to touch base with everyone on what was filed and on what dates.

- Received the ICS Protest and Notice of Appeal of Intent to Award on July 22.
- Received response from Securus on or about August 9.
- Received ICS reply to that response on August 18.

We have not formulated a timeline for responses at this point given we just received a reply on August 18, and there is a hearing already scheduled with the Administrative Law Judge on September 1.

- Contemptuously with ICS Protest on July 22, they also filed a Request for a Stay.

Alan Nagel – Did you also receive something from ICN that was filed on August 13?

Michelle Rabe – I came in a little late and getting caught up on documents. The Commission may be able to answer that question.

Chair Kniff McCulla – Yes.

Michelle Rabe – What was that document?

Alan Nagel – It is a response by ICN to the Notice of Appeal and Motion to Dismiss by Securus.

Commissioner Lapointe – Yes, I received it on Tuesday.

Michelle Rabe – Does that accurately reflect everything since July 22?

Pat White – Inmate Calling Solutions (ICS) has made two separate submissions to the ITTC. Last one filed yesterday (August 18), July 22, and August 9. Three including the original Protest of Notice.

### **Transition to Closed Session**

Commissioner Holz made a motion to move into closed session pursuant to Iowa Code section 21.5(1)(c) and (f), for the specific purpose of discussing strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation and/or to discuss the decision to be rendered in a contested case conducted according to the provisions of chapter 17A. Second by Commissioner Olson.

#### *Roll Call Vote*

Commissioner Holz – Yes

Commissioner Lapointe – Yes

Commissioner Olson – Yes

Commissioner Wenzel – Yes

Chair Kniff McCulla – Yes

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The motion passed unanimously.

*The Commission convened in closed session at 11:18 AM. Those remaining in the room and on the Zoom call included the Commission members, Michelle Rabe, and the recorder.*

### Closed Session

- Closed session minutes separate.

### Return to Open Session

*The Commission reconvened in open session at 11:38 AM.*

Regarding the action item for which the Commission went into closed session, Commissioner Holz moved that the Stay be granted from the awarding of the contract until the final decision of the Commission. Commissioner Olson seconded the motion.

#### Roll Call Vote

Commissioner Holz – Yes

Commissioner Lapointe – Yes

Commissioner Olson – Yes

Commissioner Wenzel – Yes

Chair Kniff McCulla – Yes

The motion passed unanimously.

### Public Comment:

Ryan Koopman – When you said a final decision from the Commission, are you looking for the ALJ to issue a proposed decision. I believe he was looking for some guidance from the Commission, since there are two open documents on the same RFP at the moment.

Michelle Rabe – There are two open documents, and that is confusing. I need to discuss with the Commission, we have not done so. It was not on the agenda today. The intent of the Stay, is to Stay with the proceeding until we have final agency act.

Ryan Koopman – Stay the ALJ proceedings, there have been two motions for Stay filed: 1) ICS to Stay Contracting and 2) Securus to Stay the proceeding before the ALJ. The Commission moved on to approve the Stay of the ALJ proceedings, is that accurate?

Commissioner Holz – No, that would not be. It is just a Stay of the Commission taking any action on the contract until such time there is a final decision from the Commission. It goes back to the other issue in what we do with the various proceedings. I am going to recommend and request that there is another meeting to discuss all issues that are outstanding and all the files that have been made.

Ryan Koopman – Understood. We are looking at two weeks for a trial on this, do you know when that meeting will take place, before your next regularly scheduled meeting?

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Commissioner Holz – Yes.

### **Adjournment:**

The ITTC meeting adjourned at 11:47 AM.

### **ATTESTED TO:**

*Barb Kniff McCulla - Chair, Iowa Telecommunications and Technology Commission*